

REMARKS

The last Office Action of November 4, 2008 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 12-18 are pending in the application. Claims 13, 15-18 have been amended. Claims 12, 14 have been canceled. No claims have been added. No amendment to the specification has been made. No fee is due.

Claims 12, 13, 15 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 5,432,644 to Tajima.

Claim 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tajima in view of WO 00/62400 to Felici et al.

Claim 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tajima in view of U.S. Pat. No. 4,469,970 to Neumann.

Claim 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tajima in view of U.S. Pat. No. 2,946,941 to Jin.

Claim 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tajima in view of U.S. Pat. No. 6,023,838 to Yamakoshi et al.

Applicant has canceled independent claim 12 and amended claim 18 which is now the sole independent claim of the application and directed to an electric propulsion vehicle having incorporated therein an electric machine which is operatively connected to a wheel set for providing mobility of a vehicle body on rails. More specifically, claim 18 sets forth the presence of two slotless sections of the laminations in opposite relationship, as previously set forth in claim 14, now canceled, and the disposition of the two sections between the vehicle body and the rails. Support for the amendments to claim 18 can be found in paragraph [0043] of the instant specification with reference to Fig. 21.

The Yamakoshi et al. reference has been applied to show the general disclosure of a motor casing for a scooter. As shown in Fig. 2, the motor casing has a stator formed about its entire circumference with slots for receiving coils.

While Tajima et al. describe an electric motor with a stator having a single slotless section (9c) and Felici et al. describe two slotless sections in opposite relationship, it is applicant's contention that the Examiner failed to make a prima facie case of obviousness because it is not clear how the Yamakoshi et al. motor casing can be modified, as suggested by the Examiner, and still be operational. Moreover, a combination of Yamakoshi et al, Tajima, and Felici et al. would still not produce the present invention, as set forth in claim 18 because the positional relationship between the slotless sections, on one hand, and the rail body and rails, on the other hand, is not disclosed.

For the reasons set forth above, it is applicant's contention that neither Tajima, nor Yamakoshi et al., nor Felici et al., nor any combination thereof teaches or suggests the features of the present invention, as recited in claim 18.

As for the rejection of the retained dependent claims, these claims depend on claim 18, share its presumably allowable features, and therefore it is respectfully submitted that these claims should also be allowed.

Applicant has also carefully scrutinized the further cited prior art and finds it without any relevance to the claims on file. It is thus felt that no specific discussion thereof is necessary.

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the

Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

By: 

Henry M. Feiereisen
Agent For Applicant
Reg. No: 31,084

Date: January 29, 2009
708 Third Avenue
Suite 1501
New York, N.Y. 10017
(212)244-5500
HMF:bms